1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

British Government on the terms of transfer of railway ownership, as intended in the Treaty, were prolonged from 1932 to 1936. In the latter year agreement was reached; the railway as a going concern became the property of the 'Iraq Government for a payment of less than £500,000. Management was for twenty years to be the responsibility of a joint Board with 'Iraqi majority, and with British executives remaining in a few key posts. The transfer on these terms was ratified by Parliament in July 1936, not without some minority outcry; and one more controversy was laid to rest. The long-advocated project of a Baghdad–Haifa railway was, for the foreseeable future, rejected in the same year. But development northwards had become rather a certainty than a project when late in 1934 the French authorities extended the (Turkish) Aleppo–Nisibin line across the Syrian 'Bec de canard' to the 'Iraq frontier at Tall Kochek. Only the single gap Bayji–Mosul–Tall Kochek, all in 'Iraq, now remained in a complete Baṣra–Baghdad–Istanbul system—the old dream of the Bagdadbahn. The decision to construct the missing section at a cost of some £2 million was taken by the Government in November 1936; and the orders placed forthwith in Great Britain for material compelled the 'Iraq Treasury to incur its first foreign loan (p. 254). Earth-work began, the northern section being given priority amid the eager interest of the Mosulawis, the Shammar, and the frontier qadhās.

Air communications developed fast. British, French, and Dutch trans-continental lines crossed and served 'Iraq with increasing frequency of aircraft, linking the Far East, India, and 'Iraq itself to the Levant and Europe. Modern airports with full equipment came into being at Baghdad and Baṣra, and British flying-boats after 1937 used also Lake Ḥabbaniya and the Shaṭṭ al-'Arab. A French line offered a shuttle connexion between Baghdad and Damascus, and Misr Airways a Baghdad–Cairo service. Interested Baghdadis formed an Aeroplane Society in 1936. Civil aviation was in 1935, surprisingly, transferred to the control of the Ministry of Defence. The simultaneous development of telegraphs by land line and wireless to the Levant capitals and Cairo, with public services from Baghdad and Baṣra to Riyadh, Beirut, Palestine, and Egypt—and through them to the United Kingdom—placed and kept 'Iraq in the world network of telecommunications. Broadcasting from Baghdad made its first appearance, but was up to 1937 still experimental and occasional.

Good progress was made during these five years in the all-important sphere of land settlement. The three Committees set up under the legislation which followed the Dowson Report worked excellently, and a fourth was added for the Kirkuk area in 1933 and others later. The settlement carried out by these Committees and

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

by their many successors in later years was criticized by some as too favourable to the shaykhs and half-absentee urban land-developers, and unjust to the actual cultivators. It was true, indeed, that thousands of these remained legally landless and as dependent as ever; that many shaykhs, whose agricultural functions had been always limited and ill performed, became the registered owners of personal heritable '*lazma* rights' of considerable areas: and that town-dwelling pump-land exploiters were over-rewarded, by similar grants, for their enterprise. The criticism is not baseless, but has been commonly exaggerated. The Committees created no rights; they recorded what rights they found to exist. Their members were officials of 'intelligentsia' type with no shaykhly sympathies (but rather the reverse), and they sought genuinely among the cultivating workers on the land for '*lazma* right' candidates who could produce valid claim to some years of continuous past occupancy or revenue-paying; in tens of thousands of cases they found and recognized them; and only in the absence of such claims were rights registered in the name of the shaykh and his family.

No title was ever assigned to an absentee shaykh, though the residence of some of the grantees might be intermittent and not on the precise lands concerned. Of the rich townsman who obtained title to broad acres, it was just to recall that, spending capital and accepting the grim risks of 'Iraqi agriculture and an uneasy partnership, he had developed lands hitherto desolate and could perform, as the single cultivator lacking wealth, knowledge, and authority could not, the functions of landlordship in organization, capitalization, and improvement. In northern 'Iraq, small-holding was the rule and was defined and stabilized by the settlement; in central 'Iraq, though the new security of tenure and the lessening of boundary squabbles did not wholly comfort the laborious, underprivileged, ever-indebted fallah, whose personal lot was little improved, they removed a large part of the adverse background of shifting rightless chaotic land tenure which had long afflicted 'Iraqi agriculture. The indignation of Abu al-Timman's group under the Ṣidqi régime at the remaining inequalities led to the suspension of *lazma* grants; but the procedure under the original law was soon restored. Meanwhile Government pursued schemes to construct model villages, good in conception but at present trifling in results; and the settlement of nomads was attempted on the Abu Ghurayb and Ḥawija canals.

Agriculture proceeded on its ancient lines, but with an increasing official consciousness of its inadequacy. The bad preparation, the dirt in and adulteration of produce were still the despair of merchants, as were the archaic and wasteful methods, inferior crop

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

even the basic validity—of the oil concessions was a usual move of politicians in opposition.

In the greatest of 'Iraq's industries, that of agriculture, the war was a period of unusual activity, stimulated by the need to produce and by high prices. Agricultural machinery, thanks to lend-lease supplies, was seen almost for the first time in the northern liwās and those of Baghdad and Kut; in 1945 some scores of tractors, mechanical ploughs, cultivators, and combines were in operation, with great effect on 'Iraqi conceptions of agricultural possibilities. Projects for ambitious modern farming took shape among the educated and the owners of capital; a College of Agriculture had been founded in 1941; and a law was passed in 1944 authorizing the establishment of agricultural Co-operative Societies. But none of these measures prevented the increasing drift of countrymen in their hundreds or thousands towards the towns, where war-time employment was plentiful. In the field of land settlement, the committees, which had worked steadily and in increased numbers since 1933, were wisely kept at their all-important tasks throughout the war. Only minor attention was given as yet to southern 'Iraq, and little to Mosul, Arbil, Dulaym, Diwaniya, or Karbalā liwās; but much was done in the dispute-ridden agricultural lands of Kirkuk, Baghdad, Hilla, and Diyalā, where good progress was made with definition of land categories, the mapping of boundaries, and the recording of individual registrations over areas which now approached a million acres. Much was heard of plans both for model villages and for the allotment of small-holdings of Government land to single families—a sign that the evils of peasant insecurity, poverty, and lack of incentive were now fully realized. On the Dujayla Canal, dependent on the Kut barrage, work under a special law started in 1945 on a practical settlement of families on sixty-acre State-owned plots, with the incentive of free title to be gained after ten years of work; and meanwhile village institutions and amenities—school, farm offices, nurseries, dispensaries, and a co-operative store—were provided by the Directorate. The Dujayla Scheme was full of promise; it started with eighty carefully-chosen families, later to be multiplied tenfold, and it aroused keen competition for admission.

'Iraq's security after 1941 allowed its vital Irrigation services to continue their canal maintenance and flood protection, their studies and planning, though the intended major projects could not at present be initiated. The work interrupted in 1941 on the Habbaniya–Abu Dibis outlet was completed by 1943, and the intake-channel from the river (begun under Willcocks) and the return-channel to it, were redesigned but not yet undertaken. Pump irrigation was fully maintained.

already occurs in more intensive holdings (e.g. gardens) and in house property.

5. When considering the position in the riverain tracts, in my provisional report I suggested (iii, 24) that the simplest and the most appropriate means of regularising the holding of miri land was by standard leasehold agreements in accordance with prevailing theory and partially prevailing practice. It never appears to be contested, even by the most firmly entrenched holders of miri land, that the ownership of such land belongs to the State. Nor is it contended that this ownership is titular. But while the effective ownership of the State is recognised, it is claimed that this ownership does not carry the right to evict at will well-established holders from their holdings of miri land. Subject to good behaviour, to maintaining cultivation, to payment to Government of its revenue contribution, and to the satisfactory discharge of certain public duties, such holders of miri land claim a right of undisturbed possession, which in principle is universally admitted.

There will probably be no difficulty in formulating the main rights and obligations of miri holders in standard terms, if and when Government decide to maintain and systematise miri tenure. But within the main framework of this tenure considerable elasticity would have to be allowed for supplementary or even exceptional provisions required to meet varieties of local circumstances, of local customs and of agricultural needs. The rain-watered plains of the north, the valley cultivation of the hills, the pump-fed riverain tracts, the rice-growing fringes of the marshes, the areas supplied with regular free flow irrigation, are instances of such variations which will occur to all.

[651] At first sight the contingent obligations now customarily imposed on miri holders in the form of public duties appear to be impracticably onerous. But the obligation that needs definition most of all is the nature, the method of assessment and the method of payment of the revenue contribution, which represents the miri holder's amalgamated rent and tax to the nation, for the land he holds. General public duties should not fall on miri holders as such. They would more reasonably be discharged by some unpaid local dignitary, who could be accorded appropriate privileges.

In pursuance of the need to establish greater security of tenure and in conformity with customary doctrine, miri leaseholds held by long-established miri holders or their descendants, should normally be renewable in practice, although terminable in form. The duration of miri leaseholds might as a matter of regular routine be fixed at ten years. While such leaseholds should ordinarily be renewable to previous holders, if they had previously discharged their obligations satisfactorily, yet renewal should require a formal act on both sides. This would keep the nature of the tenure in the public mind, and the existing records up to date and reliable. Standard fees should be charged for all issues and renewals of miri leaseholds. These fees should in principle be limited to covering the aggregate cost of the simple administrative and technical procedure needed to maintain the necessary records satisfactorily.

6. The Land Register

[625] 6. As already noted the Land Code only recognises the private holding of land in two ways. Such a holding must either be private property (mulk) or it must be State property* held in tapu tenure. And the acquisition of all private holdings in either of these categories must be registered to be valid.

* Miri in law including all cultivated land not owned in mulk.

3: Clark S-5 (1950)1951 MH1 Iraq MH1

and confusion of rights. Indeed the most diligent inquiry would be unlikely to reveal anywhere any appreciable number of holdings, small or large, held in undisputed possession and free from hampering and conflicting claims. It needs no great effort of the imagination to appreciate the blighting effect of these unhappy conditions prevailing throughout the country, upon the prosperity of the main national industry and the welfare and contentment of the people as a whole.

Put very briefly, with the exception of small areas, mainly in Northern Iraq, together with some smaller areas of a few yet hopefully significant State-sponsored schemes of land settlement, the bulk of the cultivated land of Iraq is in the possession of large landowners. Some of them may not enjoy the holding of this land by confirmed legal right but, to all intents and purposes, they own it and derive immense incomes from it. Others, by legal process, the validity of which is disputed by land reformers, have gained possession of lands which were formerly held in common tribal use.

These landowners, or landholders, are usually sheikhs or absentee urban landlords who let the land to share-tenants through a hierarchy of lessees or agents, at the bottom of which is the landless cultivator who gets an incredibly small share of the produce of his labour. Indeed, the actual cultivator under this invidious system of share-cropping may get anything from ten per cent to thirty per cent of the produce of the land which he works, most of the remainder going to the large landowners, agents or owners of irrigation pumps. The situation may vary from landlord to landlord, and very occasionally the actual cultivator is said to share fifty per cent of the produce. In general, however, the position of the Iraqi countryside is one of great extremes of wealth and poverty. The landowner may live in a sumptuous style with a town house and country palace, while the peasant cultivator may live under conditions of poverty or near-destitution.

It is not possible in this study to attempt more than an outline of the causes and effects of this situation. It arose partly out of ancient confusion of titles which meant that, with the break-up of the tribal system, the most powerful member of the tribe was able to appropriate for his own purposes land which was originally intended for the common good of the tribe. It is due partly to the faulty application of the Ottoman Land Code under which, because the small cultivator was not strong enough to establish his rights of title, these rights fell to the sheikh. The profits derived from the Persian Gulf grain trade in the late 19th and early 20th centuries gave a further impetus to what has been described as 'this wholesale land grabbing'. Finally, with the development

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of modern pump irrigation, both landowners and urban speculators were able as pump providers to secure further advantages over the small peasant cultivator. The outcome of this combination of cupidity and circumstance is such that an experienced investigator into the land problems of the Near and Middle East maintains that 'the bulk of the land has come into the hands of a class from whom no leadership in agricultural methods can be expected and which is tyrannous, callous and oppressive'. This generalization is, however, not entirely just, for a minority of the landowners appear to take a greater interest in the welfare of their tenants than might be assumed. But, with few exceptions, the share-cropping peasant cultivator of Iraq lives a hard life of poverty which is only mitigated by ignorance of better conditions.

It is necessary that this problem of land tenure and its effects on the economic and social life of the country should be fully appreciated, and this for three vital reasons.

Firstly, the land is the main source of the future wealth of Iraq, and consequently of revenue for educational and other social purposes. There are, of course, those other possible sources of increased revenue indicated earlier in this chapter and, as will be suggested later, it is to be expected that the steadily increasing royalties from oil exploitation will contribute to the country's resources for social progress. But it must be reiterated that the most important source of national wealth in Iraq is the land.

Secondly, although improved methods of agriculture and of the organization of rural life are badly needed, these are hardly likely to be promoted by landowners who are interested in the *status quo*.

The agricultural productivity of 'the land between the two rivers', once renowned for its robust fertility and abundant crops, has fallen to an extraordinarily low level. The superficial causes of this lamentable state of affairs are primitive methods of husbandry, the lack of application of power and science to the land, insufficiency of irrigational facilities and the misuse of those that exist. Until improved methods of cultivation, stock rearing, harvesting and marketing, accompanied by a sound system of agricultural education both in the schools and at the adult level are applied, there can be little prospect of the land of Iraq being that rich source of wealth through which the people may live more abundantly. These improvements, however, are not likely to materialize under the existing land tenure system.

Thirdly, there can be little expectation that Iraq, constitutionally a democratic country, will develop effective democratic institutions, both centrally and locally, so long as the standards of the bulk of the population remain at so low a level.

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If developments of this kind proceed it is likely that the agricultural productivity of Iraq will increase considerably. Although most of the profits will find their way into the pockets of a few, more taxable wealth is likely to be produced which could wisely be devoted to the development of educational and other social services. Indeed, if means could be devised of applying income tax to such profits, considerable additional revenues for public services would accrue.

The Dujaila Project of Land Settlement. But perhaps the most hopeful and significant economic and social development which is taking place in Iraq is the Dujaila Project of Land Settlement.

Some years ago, as one of the first attempts at land reform, the Government distributed parcels of land to small, independent farmers. The Government provided the irrigation facilities and, on the land which could consequently be brought under cultivation, allowed families to settle. The scheme was not nearly so successful as it should have been, partly because some of the tenants lacked sufficient farming experience but mainly because it was not accompanied by a scheme for providing agricultural advice. Further, because of the failure to institute adequate drainage arrangements, there is a danger that much of the land in the settlement area will lose its fertility through otherwise avoidable salinity.

In the Dujaila area, in the province of Kut, the Government are now in process of organizing a much more satisfactory and intelligently conceived scheme of land settlement. In 1945 a large tract of hitherto uncultivated land, roughly seventy kilometres long and about half that distance wide, was selected as an area for land settlement. The scheme is being organized by a department known as the Dujaila Directorate to which a reasonable delegation of powers has been given. Its main features may be summarized as follows:

(1) Each settler, who must have had previous agricultural experience in or near the locality, is provided with a holding of about sixty acres. The settler has to sign a well-devised form of contract which binds him for a period of ten years to farm his holding in accordance with advice given by the agriculturalists and horticulturalists attached to the Directorate. At the end of ten years the holding is apparently vested in the holder in a form of limited freehold.

(2) Each settler is eligible to apply for an initial grant not exceeding £100 for the purchase of equipment, assistance towards the building of his house and farm buildings.

(3) Each settler must plant sufficient trees around his holding,

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must establish a horticultural plot, and on his arable land must maintain a balance between summer and winter planting. He must also devote sufficient land for stock pasture.

(4) Each settler must, from his own resources, level, hedge and provide irrigation ditches for his own plot.

(5) A co-operative society is formed and run by the holders. So far some 1,026 holdings have been established in the Dujaila area, and the total population of adults and children is between 12,000 and 15,000. At present there are only two schools with a total roll of 300 children, but the parents appear to be pressing for more educational facilities and two new schools, of good design, are in process of construction. The Provincial Director of Education, who takes a keen interest in the scheme, has plans for a distribution of primary schools throughout the whole area to avoid long travel by young children, and also wishes to establish intermediate and secondary schools situated in a central village which is about to be built. He is anxious that the upper forms of the primary schools shall develop a rural bias and that the intermediate and secondary schools shall have 'agricultural streams'.

It is perhaps early to judge the success of this scheme, which has been in operation for only four years and is still in process of development. From carefully checked evidence, however, it appears that the holders, most of whom were previously landless cultivators living at a low subsistence level, are making an average income of between £300 and £400 per annum. The sponsors of the scheme also maintain that, whereas the average grain produced from one dunum of land on privately owned farms in the neighbourhood is 100 kilos, the average from the same area in the Dujaila district is 250 kilos. From admittedly superficial observation the tenants would certainly appear to be living a richer and more robust life than their neighbours who remain landless cultivators. Many of the tenants have provided themselves with houses which, by local standards, are comfortably designed and furnished. The men have an appearance of dignity and independence. Indeed, it is claimed that 'you can always recognize a Dujaila man in the streets of Kut because of his confidence and bearing'.

The scheme has, possibly, certain deficiencies in that the tenants, apart from improving their holdings by tree planting, hedging and irrigation channels, are required to pay no rent. True they make a certain contribution to the public purse through the sales tax, but it may be wondered how wise it is to encourage an attitude of 'something for nothing'. Public services are badly needed in Iraq and even new land settlers should realize that they must be paid for. It is understood, however, from discussion

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more brought into use. The government should take steps to survey the possibilities for small projects and to provide assistance in carrying them out, thus giving aid and security to the farm population of the North which now feels that its needs have been neglected and overlooked.

In general, however, the North will have to remain dependent on rain-fall to sustain its agriculture. There are apparently still considerable rain-fed areas which can be settled and put to the plow. Particular care should be exercised, however, to insure that the areas are not sub-marginal from the standpoint of either rainfall or fertility and that settlers are really available in the North, which is generally more sparsely settled than the central and southern portions of Iraq. For example, the Mission believes that the prospect of scanty and uncertain rainfall will probably make it undesirable to proceed, except on a very restricted, experimental basis, with the settlement scheme near Balad Sinjar in Mosul province which has been projected by the Agriculture Department.

Settlement of New Land

In the past much of the vacant land available for an expansion of crop production which ostensibly belonged to the state has fallen into the hands of big landowners. The so-called Land Settlement Law of 1932, which inaugurated a cadastral survey for the purpose of settling the past confusion regarding land titles and systems of tenure, facilitated this process. It permitted the land settlement committees appointed to administer the law to grant titles (so-called *lasmah* grants) to people who could demonstrate that they had made productive use of land within the previous fifteen years. In practice, it has been possible to obtain title on the presentation of proof that a crop was produced on the land in one year, and the land settlement committees have occasionally accepted even more tenuous proof of cultivation. In this way many sheikhs and other influential persons have managed to obtain title to large tracts of land without any payment whatsoever. Since the cadastral survey is only about half completed, more land may be preempted in this way unless a limit is set on such acquisitions.

Land definitely adjudged to be state (*miri sirf*) property by the land settlement committees has, however, been set aside for

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425 421 166 distribution to selected settlers under the terms of a law passed by Parliament in the spring of 1951. This law reflects a growing realization that a class of independent small-holders needs to be created. Settlement areas ranging in size from 2,000 donums in the mountains to 20,000 donums in flow-irrigated land and 80,000 donums in the dry-farming zone are to be established. Units up to 20 donums in mountainous land, 100 donums in flow-irrigated lands, 200 donums in lands irrigated by low-lift pumps and 400 donums in dry-farming lands are to be distributed among farmers, with preference to be accorded to those living in or near the settlement areas. Up to 20 percent of each area may also be allotted to graduates of agricultural schools and former members of the police and army, and up to 25 percent to civil pensioners and unemployed school graduates, provided that the committee responsible for the administration of the whole scheme is convinced of their agricultural capabilities. Settlers will be given the opportunity to participate in the work of preparing each area for settlement. The committee will plan the whole settlement, including the sites of houses and public buildings which are to be constructed in accordance with its specifications. The committee will also issue instructions regarding the type and method of cultivation. After ten years farmers who have made good will be granted title to their land without charge, and for a further period of ten years they will not be permitted to alienate their land in any way or to mortgage it except to the state Agricultural Bank. The only exception to this kind of distribution and settlement will be made in the case of state lands which can be irrigated only by high-lift pumps. Such lands may still be leased in tracts up to a maximum of 5,000 donums to a single individual.

425 421 This law, properly administered, will undoubtedly result in great benefit to Iraq. The Mission urges, however, that the government insist on the principle that settlers farm their land themselves without resort to sharecroppers. Otherwise there is a danger that a considerable number of minor landlords will be created, thus defeating the fundamental purpose of the scheme. This principle may be jeopardized both by the selection of non-farmers as beneficiaries and by the contemplated allotment of excessively large

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plots to single individuals in the pump-irrigated and dry-farming areas.

While sympathizing with the desire to provide in some way for unemployed school graduates and retired civil servants, army and police personnel, the Mission believes there is serious danger that these types of beneficiaries will tend to become landlords who will entrust the farming of their plots to others. The success of the settlement schemes may easily be endangered if the land falls into the hands of absentee landlords or of people with little or no farming experience. In any event there are many farmers in relatively overcrowded rural areas with better claims to the new land.

The proposed allotments, particularly in the dry-farming and pump-irrigated areas, may well be too large unless there is assurance that the farmers will have access to adequate machinery to till their land. The relatively large allotment in pump-irrigated lands as well as the exemption of lands irrigated by high-lift pumps from distribution to small-holders appear to be based on the assumption that only larger landholders can afford the necessary investment in pumps. In the past when capital was scarce, the installation of pumps was left to merchants and landowners who consequently were able to reap high returns in the form of a large proportion of the resulting agricultural output. Now that the government is assured of ample financial means in the future, it might consider financing the construction of pumping stations and providing pumps at cost to groups of settlers organized into cooperatives which would undertake to operate the pumps and gradually repay the government. Under such conditions the justification for larger allotments of pump-irrigated lands would tend to disappear. The Mission therefore suggests that the government review the size of the allocation to each farmer and that it reserve to itself the right to reassign a portion of the allotment if one farmer should prove incapable of cultivating it.

The Mission also makes two other recommendations. The first is that the right of sale after the initial period of 20 years be limited in such a way as to give the government an option to purchase for the purpose of preventing the land from falling into the hands of absentee landlords. The second is that the provision enabling settlers to acquire their land without cost be reconsidered.

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425 421 The Mission believes that the settlers should, as a matter of general principle, be required to make some payment for the extensive benefits received. This is all the more necessary in order not to widen unduly the disparity between the economic status of the favored settlers and that of the great majority of cultivators who will continue to work under much less favorable conditions. Such payments need not be excessively burdensome, since they could be spread over a number of years.

241 425 [166] The new law will apply on a broad scale the basic principles of the Dujaila land settlement scheme in south-central Iraq. In the period 1946 to 1950, 1,058 farmers were settled there on 100-donum plots allotted from state-owned irrigated land. The Mission was impressed by the results achieved through this scheme. The farmers, who used to be sharecroppers, are conscious of their new-won independence and dignity. By comparison with the fellahin in neighboring areas they appear prosperous and content. [474] Many of them are members of a cooperative—the only one of its kind in Iraq—which owns 10 tractors, two lorries, a flour mill and a club-house. Although the accounts of this cooperative leave much to be desired, its operations are generally along sound lines and indicative of what can be accomplished through state-assisted self-help. The Dujaila scheme is, however, not without defects. Its success as an agricultural venture is jeopardized by the progressive salination of the land because of failure to provide drainage facilities —an omission which should be promptly remedied. The administrative staff appears to be excessively large. Small-scale "landlordism" has crept in, since some farmers have brought in others to do a large part of their work on a sharecropping basis. The farmers were settled in a scattered fashion without regard to the need for community life. Most important, aside from insisting on small fruit gardens, the committee in charge of the project has effected no improvement in farming methods. The Department of Agriculture is not even represented on the committee, and there are no agricultural experts in the project capable of assisting farmers in raising their standards of cultivation. The improved economic position of the cultivators in the Dujaila scheme is almost wholly due to the fact that the farmer there has a larger plot of land and does not need to surrender a share of his output to a landlord. In the

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new settlements the government will have a unique opportunity to remedy the shortcomings of the Dujaila project.

Improvement in Productivity

While expansion of land under cultivation, particularly through large irrigation schemes, is essential in the long run to provide for a growing population and to establish a socially desirable class of smallholders, it should not be undertaken without a simultaneous vigorous campaign to increase the productivity of agriculture and livestock. The temptation to neglect such an effort in favor of striking new irrigation schemes should be resisted. Among the measures upon which this campaign should concentrate are drainage, the provision of better tools, seeds and draft animals, the introduction of soil-building and forage crops, the use of fertilizers, the improvement of livestock, the planting of trees and the establishment of an effective extension or advisory service to farmers.

1. Drainage

The drainage of existing irrigated lands would make the most important single contribution to increasing the productivity of agriculture. Moreover, it will also have the most immediate effect since it can be carried out by the government while the success of virtually all other measures to raise productivity depends on the necessarily slow process of persuading farmers to abandon age-old methods of cultivation.

The Haigh Irrigation Commission, which made an extensive study of irrigation and flood control for the government, estimated a few years ago that about 60 percent of the land irrigated by flow had been seriously affected by salt. The Mission's own inquiries and observations indicate that as much as 20 to 30 percent of cultivated land has been abandoned over the last few decades because of salt accumulation, while on a large part of the remaining land yields have declined by 20 to 50 percent and even more. In a number of new irrigation projects such as Hawija and Dujaila salting forced abandonment of part of the land within two years after the schemes were initiated. Drainage, almost totally neglected in the past, should therefore be prosecuted with utmost vigor in the future.

The main drainage canals for the whole irrigation zone have been projected, but it is now necessary to proceed with detailed

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654* 651 [425] rent tax was abolished in return for certain payments to be made by the landholders over a maximum period of ten years. Thus the tax system discriminates in favor of those who have managed to obtain state lands in *lazmah* grant and against those who have regularly leased land from the state. The latter continue to be assessed for rent whereas the former, who have frequently secured large *lazmah* grants on the basis of rather tenuous proof of occupancy and cultivation, escape any tax or rent assessments on their land.

The application of a graduated income tax to agriculture, while equitable, may not be politically feasible at present and would certainly pose difficult problems of assessment. Consideration should be given, however, to the reintroduction of some type of land tax. The fact that the cadastral survey is only half completed would not be an insuperable obstacle. In most cases the land held by each individual will be well known in the locality where he resides. Landholders could be required to register for taxation all the land they claim with the provision that they would not be allowed to establish claims during the cadastral survey to any lands not so registered; and in case of conflicts between actual occupants and other claimants, the tax could provisionally be levied on the actual occupant. It would probably be desirable to levy the tax on cultivable land rather than land actually under cultivation in order to provide an incentive to production or, alternatively, to release idle land for resettlement. Tax rates would have to vary in accordance with productivity of the land, which could, as in some other countries, be ascertained through tests or control plots located in various parts of the country. The tax rate should presumably also take into account the government contribution to irrigation of the land. The adoption of such a land tax might be linked with the gradual reduction and perhaps ultimate abolition of the *istihlak*.

X. Conclusion

511 Today the people of Iraq for the most part suffer from dire poverty. Although a relatively small number of city merchants and landowners enjoy high incomes, the average standard of life is extremely low. The future would hold little prospect for relief if

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TABLE 3

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LAND CLASSIFIED ACCORDING TO TYPES OF TENURE BY CADASTRAL SURVEY*
(in donums)

	Cultivable	Uncultivable	Total
Total area to be classified	—	—	107,045,725
Total area classified by Feb. 8, 1951	38,188,575	12,268,459	50,457,034
Mamlukah (mulk)	150,601	22,366	172,967
Matroukah	9,296	1,686,912	1,696,208
Mawqufa (waqf)	549,198	36,538	585,736
Miri tapu	8,370,595	698,987	9,069,582
Miri lazma	7,371,720	485,291	7,857,011
Miri sirf	21,737,165	9,338,365	31,075,530

* For fuller details, see Table I in the appendix.

veyed has been definitely adjudged to be *miri sirf*. Only a small part of the land is actually being exploited today. About 1.6 million donums is let by the state on triennial leaseholds which may be renewed once by the same holder. Virtually all of the land in Amara province is also leased out by the state. Here, however, it is held under virtually permanent leaseholds by sheikhs who have been rewarded by rather large tracts of land in return for maintaining order and performing other services in this province which has a somewhat unruly past.[2] The remainder of cultivable *miri sirf* land is in theory still available for exploitation. Presumably most of the better and more accessible lands have been alienated to private holders, and that remaining to the state is in large part relatively poor, inaccessible, or not susceptible of irrigation. Nevertheless, there is undoubtedly a large reservoir of state land which can still be opened to cultivation, particularly if irrigation is provided.

425

A feature of the 1932 law inaugurating the cadastral survey was the introduction of *lazmah* tenure. This type of tenure was designed to recognize prescriptive rights to tribal lands. In practice, the sheikhs rather than the tribesmen have benefited from this provision of the law. *Lazmah* grants could be obtained on proof

[2] In all there are 290 leaseholds of cultivated state land in Amara of which 13 are between 10,000 and 35,000 donums, 10 between 5,000 and 10,000 donums and 95 between 1,000 and 5,000 donums.

7: International Bank N, S-4 (1951) 1952 MH1 Iraq MH1

that the land was cultivated and a crop produced in any one year, and the land settlement officers, who have sometimes been inexperienced and subject to influence, have on occasion accepted even more tenuous evidence as proof of a prescriptive claim. In this way a large portion of state land has been alienated to sheikhs and other influential persons, and the number of large landowners has multiplied.

Distribution of Land

Complete data on the distribution of landholdings are not available. For the area covered by the cadastral survey, it is possible to classify private landholdings into various categories according to size. Such a classification, given in the accompanying table, shows that holdings of 1000 donums or less account for only 15.7 percent of the area. This is indicative of the small number of peasant proprietors. On the other hand, holdings of over 1,000 donums accounted for 67.1 percent of the total of privately owned land, while those of more than 10,000 donums comprised 24.3 percent of the area. Moreover, the importance of large holdings is undoubtedly underestimated by these figures. The cadastral survey has proceeded by areas known as *muqata'as*. In a number of cases landowners have holdings in several *muqata'as*, but these have been registered as separate holdings. Thus, according to the cadastral survey, there is only one holding in Kut in excess of 100,000 donums (namely 174,251 donums), although it is generally reported that there are actually several holdings well over 300,000 donums.

The accompanying table indicates that the highest proportion of small holdings is apparently in Basra, Dulaim, Kirkuk and Suleimaniya. The provinces of Kut, Amara, Mosul, Diyala and Kerbela have the highest percentage of large holdings.

The Sharecropping System

Although the amount of land cultivated directly by the landowner has increased since the last war with the use of modern machinery, particularly in Mosul and Baghdad provinces, the great bulk of the land is tilled for the landholder by peasants or fellahin against a share in the crop. The sharecropper is not a tenant in the sense that this word is generally used in the western world. He has no discretion in the use of the land and does not lease a

7: International Bank N, S-4 (1951) 1952 MH1 Iraq MH1

for settlement by small-holders, they will make a significant contribution to the social and political stability of Iraq. They may make any strong demand for radical land reform unlikely in the areas now already under cultivation. If developed with the enlightened guidance of the government, the new settlements may ultimately furnish striking demonstrations of the value of more advanced techniques in agriculture and animal husbandry as well as in social organization.

Under a law approved by the Parliament in 1951 land recognized as government-owned *(miri sirf)* in the cadastral survey will apparently be reserved in the main for settlement by small-holders. However, land which can only be irrigated by high-lift pumps can still be granted in tracts up to 5,000 donums to individual holders. Projects for the development of *miri sirf* land are to be drawn up and carried out by the Development Board. Selection of the settlers and administration of the finished projects will be the responsibility of a committee headed by an official with the status of a Director General. Two or three other members will be appointed by the Council of Ministers. The area of each project will be a minimum of 2,000 donums in mountainous lands, 20,000 donums in flow-irrigated lands and 80,000 donums in the rain-fed region. Each settler will be assigned up to 20 donums in the mountainous areas, 100 donums in flow-irrigated areas, 200 donums in pump-irrigated and 400 donums in rain-fed lands.

Under the law every settler must agree to refrain from granting his rights in the land to others and from injuring his fellow settlers in any way, to follow the committee's instructions with respect to the cultivation of the land and the planting of a garden, and to build a house in accordance with plans prepared by the committee. If he fulfills this agreement, he receives title to his allotment after 10 years without payment. For a further period of 10 years he has no right to alienate it or mortgage it except to the Agricultural Bank.

The law does not confine the distribution of land to qualified and experienced farmers. In fact, it specifies that up to 20 percent of the land in each project shall be distributed to retired army and police officers, soldiers and policemen who have served at least four years, and graduates of agricultural schools, provided the

5: Harrison D-4 (1912-1924) 1924 M1 Middle East
Iraq MH1

[Marsh Arabs]

501 erable skill to navigate. They are capable of great speed and are driven either by a sail or by oars as the occasion requires. To a stranger they seem very unstable, but the Marsh Arab, who has practically lived in them ever since he was a baby, finds them abundantly stable and perfectly safe.

342 From a distance the houses occupied by these people are very picturesque. The reeds that grow in great abundance in the marshes of Lower Mesopotamia are gathered and when dry are tied in great bundles perhaps two feet in diameter. They are ten to fifteen feet tall or even more, and two bundles tied together at the tops are bent over to form an arch. Each of these arches forms one of the ribs of the house. They are placed every four to six feet, giving an air of solidity and dignity to the structure that is most unusual for this sort of simple architecture. Over these ribs a mat roof is constructed which is surprisingly tight even in the heaviest rains. The houses vary in size, and the largest ones, which serve as guest halls for the sheikhs and the rich, may be seventy-five feet long and twenty feet broad.

423 This agricultural district is peculiar in that while it
621 has a settled community engaged in agricultural pursuits, there is no private ownership of land. The Marsh Arabs form a group almost untouched by Europeans. In the one district we visited all land is owned by the government, in this case a sheikh far removed from the district.

427 The only tax that he levies is a moderate rental for the
651 land. Apparently there is little difficulty in getting land;
425 at least no one complained of any trouble of that sort, nor does there seem to be any difficulty in keeping the same plot of land indefinitely if the cultivator wishes to do so.

000 The local governor is an efficient and more or less benevo-

15: Tannous N.G-5 (no date) 1951 M1 Middle East M1
Egypt MD1
Iraq MH1

distributed reclaimed state domain among the peasants. During the past few years the Ministry of Social Affairs, under energetic and progressive leadership, has been increasingly and effectively sponsoring the cause of the peasant. Among other things, it has proposed draft laws aimed at land reform and at improved tenancy terms. In July 1950, the Egyptian Parliament passed one of these bills, stipulating that estate owners should provide tenants with certain housing and health facilities, and with other services. During the last two years certain deputies have proposed two definite draft laws for land reform in Parliament. Similar proposals have been made by other responsible leaders. All of them aim straight at the heart of the problem — stipulating the distribution of state domain among peasants, the restriction of the size of holdings within minimum and maximum limits, the extension of credit to the new small owner, the protection of peasant property, the improvement of tenancy terms, etc.

A similar consciousness of the magnitude of the problem and the grave consequences it might entail has arisen in Iraq. As far back as 1932 a comprehensive program of land survey and registration was initiated and has been in operation since. At the end of 1947 about 20 million acres (close to 20 percent of the total area of the country) were surveyed and classified. This program constitutes a basic move in the right direction, as it results in clearing the great confusion over title claims.

In 1945 the Iraqi Parliament passed a bill (Law No. 23) authorizing the Government to distribute state domain among landless peasants or tribesmen on the basis of small private ownership. It was a small beginning as the application of the law was restricted to one specific area, the Dujaylah lands, in the Kut Liwa south of Baghdad. Some 180,000 acres were put under irrigation and divided into plots of about 60 acres each for distribution to farming families. After a probationary period of 10 years under government supervision, the farmer can acquire complete ownership of the land. At the beginning of 1947 about 400 cultivators were settled on the project land. Possibly an equal number has been settled since that time. In 1946 another project, the Hawijah Settlement Scheme, was finished. It involved the distribution of some 200,000 acres of irrigated state land among members of the 'Ubayd tribe.

25: Warriner S-5 no date 1948 MI Middle East
Iraq MH1

twenty-first part of the total. The position of the share-tenant in Iraq is much worse than that of his counterpart in Syria.

In the districts of flood irrigation the tribal system has disintegrated, but its superstructure, the sheikhs and sirkals, remains. Most of the political functions of the tribe have now been transferred to the State, and the only economic function now performed by the tribal authorities is the control of irrigation, digging of canals, and repairing of breaches, which is done by the cultivators under the direction of the sirkal who has become a kind of farm bailiff acting for the sheikh. Under this system the sheikh and sirkal take together up to 80 per cent of the crop, leaving the cultivator some 20–30 per cent.

This exploitation is possible because the sheikhs have succeeded in establishing, mainly during the last fifteen years, their title to absolute ownership of the tribal land by means of land settlement. Because in Ottoman times the cultivators had no legal title to the land which they occupied, the landlords were able, during the period of the mandate, to use their political power to secure legal title to land which was by custom and tradition the property of the tribe. In much the same way the English landlords of the eighteenth and nineteenth centuries enclosed land as their property which was traditionally common property, and ousted small holders whose title was based only on custom. As in nineteenth century England, the process is being hastened by mechanization, which gives the big landowners an advantage as against the small cultivator, and by inflation, which gives them the impetus to invest. The big landowners of Iraq are a comparatively recent creation, and it is the economic and legal changes of the past twenty years which have established their position.

Northern Iraq. In northern Iraq there is a different type of land tenure and fewer large landowners. South of Mosul, in the fertile Tigris Valley, where pumps have been installed, there is a tribal system resembling that of the south, and the land is owned mainly by tribal sheikhs and notables. West of Mosul, on the rolling uplands with poor rainfall, the land is also held on a tribal system. In this region in recent years there has been a rapid introduction of machinery; and the sheikhs are extending their power to acquire land. In future bigger imports of machinery will probably cause them to extend their influence

25: Warriner S-5 (no date) 1948 MI Middle East
Iraq MHI

over larger areas, much as the pump owners are doing on the Lower Tigris.

But in the north-eastern rain-fed zone, Kirkuk, Erbil, and Sulaimaniya, the position of the cultivator is better. There is a settled system of cultivation and a large part of the land is held by small proprietors. In the plain lands of Kirkuk and Erbil as much as 75 per cent of the land is held by small cultivators with holdings up to 200 dunums. Here the method of cultivation is much the same as in Syria, a *daim* (i.e. dry) crop being taken every two years.

Here too the legal position is different. In this part of the country, the provisions of the Ottoman Land Code remained in force, and most of the land was registered in Turkish times. Frequently the *agha* (or *mukhtar*), who was originally the patriarchal head of the village with the duty of maintaining order, has used his position to acquire land, and registered the land of the village under his own name. This has happened particularly often in the Kurd villages, where in spite of the Land Code's explicit prohibition of granting an entire village in the name of one person, the Turkish authorities, for the sake of peace, registered whole groups of villages in the names of the notables of Mosul, Erbil, Kirkuk, and Sulaimaniya.

But even though the landlords have obtained title to land, the share paid to them is much less than in the south, and amounts to only 10–20 per cent of the product.

Thus the problem of reforming tenure is here much less acute. As in Syria, peasant indebtedness is the major problem, but in the course of the recent war the high prices of grain have enabled the majority of the peasants to wipe off the burden of debt.

In the high mountain regions, however, particularly in the Zibar district, there is acute agricultural distress; a series of bad harvests due to plant disease, insect pests, and insecurity, has caused the agricultural economy to go steeply downhill in the past few years.

Settlement of Title. During the nineteenth century, the Ottoman Government attempted to settle title to land under the Land Code, as it did in the rest of the Turkish Empire. The Code was extended to Iraq under Midhat Pasha with the object of registering occupiers of land and thereby granting them

29:Dunn S-4 (1952)1952 MI Middle East
Iraq MHI

COTTON IN IRAQ

The problems of land tenure are generally cited as being a restriction to agricultural development. One United Nations' study states the absence of settlement title is undoubtedly a major obstacle to expansion of cultivation of dry land and intensification of agriculture in irrigated or irrigable zones.[40] The same report also points out that the lack of adequate legislation on water rights is another serious defect.[41] 423

RESETTLEMENT

Sizable areas are being settled by the state under the provisions of a law passed in 1951 which distributes about 67 acres per family to landless people, agricultural school graduates, former civil service employees, pensioners, and the unemployed. The farming program on these projects is supervised rigorously. On the 75,000-acre Dujaila Project on the Tigris River the prescribed planting program is as follows: 20 per cent in wheat, 15 per cent in barley, 5 per cent in fruit, 4 per cent in cotton and flax, 3 per cent in sesame, and 3 per cent in vegetables. Another 5 per cent will be devoted to housing, and the remaining 45 per cent must lie in fallow because of a water shortage.[42] 166 425 241

The Mission report criticized these land settlement schemes on several bases. The land is given to the farmers, the title being transferred after 10 years of successful operation. The Mission believes the land should be sold. The Mission also criticizes the allocation of land to people who have had no farming experience and who have not necessarily shown themselves to be suited by temperament for farming, and it expresses doubt that the program actually has improved the land or the farmer. The economic report stated: "The improved economic position of the cultivators in the new Dujaila scheme is almost wholly due to the fact that the farmer there has a larger plot of land and does not need to surrender a share of his output to his landlord."[43]

There are half a dozen other projects, involving 250,000 acres, in various stages of promotion which the Point Four Mission is being urged to assist in planning and supervising.

IRRIGATION

At present irrigation water is provided by the Kut and Hilla Barrages on the upper Tigris River, several smaller ones on the lower reaches, and the Hindiya Barrage on the Euphrates River. The water is carried by pumps and canals. About 2 million acres are irrigated by pumps and another 4 to 5 million acres by gravity flow. 312

Estimates indicated cultivatable land can be expanded almost three times if water is available. Yet, under current conditions, the supply of water does not permit even the effective irrigation of the area already in use. Projects for the storage of excess water which pours down the Tigris and Euphrates Rivers during the spring flood season are clearly essential. The government already has initiated work on the Habbaniya Lake storage system for the Euphrates River and has let the contract for the first stage of the Wadi Tharthar flood control project on the Tigris River. The Development Board is undertaking also construction of three dams on the upper tributaries of the 1/

40 *Land Reform*, United Nations, 1951, p. 27.
41 *Ibid.*, p. 27.
42 *Final Report of the United Nations Economic Survey Mission for the Middle East*, United Nations, December, 1949, p. 31.
43 Boardman, Frances, "Iraq Moves Toward Land Reform," *Foreign Agriculture*, U. S. Department of Agriculture, September, 1951.

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